

1894-055
Lee Co.

Chancery Causes: William B. Moreley vs. George Marcum, Jr.

Moreley, Carmony, Richmond, Moreley

1 Plat

CA-Contract Dispute
T-Property

- Deed

Virginia:-

To the Honorable H. S. K. Morrison
Judge of the Circuit Court of Lee County,

Humbly complaining your Orator
W. B. Morely would respectfully shew unto
your honor That for his Cause of Complaint
he says that on or about the day of

his father George Morely was seized and
possessed of a certain very valuable farm situated
lying and being in Lee County ^{Va.} on the waters of
Martin's Creek and bounded as follows: -

Beginning at a white oak near a branch corner
to F. Campbell's land and with lines of same
and line of Calvin Campbell's line N. $51\frac{1}{4}$ ' W. $35\frac{1}{2}$ '
poles to a stake at a spring N. $36\frac{1}{4}$ ' W. $52\frac{1}{2}$ ' poles to a stake
in a branch S $60\frac{1}{4}$ ' W. 124 ' poles to a large rock on the
west side of branch with Kane Bates line
S. $51'$ E. $86\frac{1}{2}'$ poles to a stake in a branch thence
with Edd's line and with said branch N. $28\frac{1}{4}'$
E. $15\frac{1}{4}'$ poles to a stake at the mouth of another
branch N. $88'$ E. 22 ' poles to a stake at the end
of a fence and with same N. $67'$ E. 29 ' poles to
a rock S. $17\frac{1}{2}'$ E. 9 ' poles and 11 feet to a rock N. $70'$
E. 21 ' poles to a large buck N. $36'$ E. $35\frac{1}{2}'$ poles to the

Beginning containing 57 acres be the same more or less,

That being so seized and possessed on the
day of his death intestate leaving as his only
heir at law your Orator W. B. Morely who thereby
became seized and possessed of the said farm by
inheritance, that afterward (your Orator living out of
the state) he placed a tenant, J. E. Cannon, in pos-
session of said premises that his tenant paid the taxes,

1 on said farm for the years 1882-83-84-85-86, that
2 for the year 1887 the taxes were returned delinquent
3 that said land was advertised and sold by the
4 Treasurers of this ^{Lee} County in the year 1889, without
5 notice to J. A. Croton or his tenant, that said land
6 was returned delinquent and sold in the name of
7 S. W. Morely, that the purchaser at said sale was
8 ^{George Marcum Jr. through} J. B. Richardson for the sum of \$2²². And that
9 afterward on the 3rd day of Feb. 1892 on the report
10 of a certificate and plat of said land by J. M. Carni-
11 cal County Surveyor George Marcum Jr. procured
12 a deed from the County Court Clerk to said tract
13 of land. Now J. A. Croton says that at the time the
14 said land was returned delinquent for taxes that he
15 was an infant, under age, and J. A. Croton owns
16 and alleges that the whole proceedings in the sale
17 of said ^{land} were irregular and erroneous on their face
18 a copy of said whole proceedings are filed herewith marked
19 "B", and is prayed to be considered as part of this bill,
20 that said Treasurer's sale was never reported to the County
21 Court under oath and confirmed and ordered to be
22 recorded in the "Delinquent Land Book" as is required
23 by law, that J. A. Croton nor his tenant in possession
24 J. E. Carnory were never notified in writing to redeem
25 the said land nor asked by the said George Marcum Jr.
26 to give possession of the same, in fact J. A. Croton
27 alleges that he had no notice of the purchase of
28 said Marcum until after two years from the
29 time of the pretended sale. That George Marcum
30 kept his purchase a secret until he had said land
31 surveyed, which was done secretly, and surveyors
32 report made to Court, all of which was to defraud

your Orator of his valuable farm, that
after your Orator learned that said Marcum Jr.
had procured a Court deed to said land that he
has tendered to him the taxes for the year 1887. but
he refuses to accept the same, which taxes he now pays
into Court as the law directs. Your Orator alleges
also that George Marcum Jr. has taken undue advantage
of him in procuring the Court deed to said land, and
therefore, the premises considered and for the foregoing
reasons, irregularities, & injustice, &c., All of which
actings and doings are contrary to Equity, In tender
consideration whereof, and forasmuch as your
Orator is remediless in the premises, save by the
aid of a Court of Equity where matters of this kind
are alone cognizable, Your Orator prays that the
said George Marcum Jr. may be made a party ^{defendant} to
this suit, and required to answer the same ~~but not~~
on oath that being expressly waived, that the said
deed made by County Court Clerk of Lee County to George
Marcum Jr. be set aside and declared null and void —
Your Orator hereby offering to pay all accrued taxes, expen-
ses etc, with interest according to law. — That proper process
may issue and that your Orator may have such other
further and general relief as the nature of this case may
require, or to equity may seem meet.

And your Orator will ever pray &c —
M. G. Cly ^{Jr.} P. D.

Levy

AC 7.14

3 1.50

Cont 1.00

Cover 4.25 n p

M.C. 2.75

at 15.00

\$34.84

Depo 2.00

\$33.84

Cr. 8.40 paid

\$25.44

me through

Barmony &

J. S. H. 1891

W. B. Marley Plff.

vs. 33 Bill in Chy.

George Marcum Jr.

1892. 2nd Octo Rules

Bill filed & paid
& Decree nisi

" 1st Nov. Rules taken

last Monday in Octo

been D. & confirmed

& cause set for hearing
by Plaintiff

1893 Decrees & Contd

1894 March Term

Decree final

O.B. 5-91.

To the Honorable N. S. H. Morrison Judge
of the Circuit Court for Lee County
Virginia:

The demurrer and answer
of George Morrison Jr to a bill
filed against him in this honorable
Court, by W. B. Moreley.

Respondent says the plaintiff's
bill is not sufficient in law.
For answer thereto should an
answer be necessary, answering
he says:

That it is true that George
Moreley, the father of complain-
ant was seized of a small
tract of not very valuable
land, lying on the waters of
Mortons Creek, the boundaries
of which he supposes are correctly
stated by the plaintiff in his
bill; and he supposes it is fur-
ther true that upon the death of
said George Moreley, this tract
of land descended to the plaintiff.
It is further true that plaintiff is
a non-resident of this state; it is
further true that he placed J. E.
Commony in possession of said
tract of land as his tenant,

Respondent knows nothing of the payment of the taxes on said land for the years 1882, 83-84-85, 1886, and neither admits nor denies the same.

For the year 1887 the taxes were not paid, and said tract of land was returned delinquent for the non-payment of the taxes thereon for the said year, and afterwards in the month of July 1889, the Treasurer of Lee County, after having duly advertised said land sold the same and your respondent became the purchaser thereof.

Your respondent is advised, and here alleges that said sale was made in accordance with law, and was regular in every particular.

Respondent denies that said sale was without notice to the Complainant or his tenant, because before said land was sold and after the same had been advertised by notices posted at various public places in this County.

and in the neighborhood where
this land lies, your respondent
himself went to the said J. E.
Carmory, the Campbells' tenant
and agent, and
informed him that said
land had been returned
delinquent, and was then
advertised for sale.

It is true that afterwards
on the 20th day of November
1891, your respondent, L. M.
Carmical, County Surveyor
for Lee County, to make
a survey of said tract
of land in pursuance of
the statute of Virginia in
such case made and pro-
vided, but it is not true that
said survey was done secretly
or that the certificate of said
survey was secretly returned
to court, but on the contrary
said survey was openly made,
the report thereof filed in court
on January 4th 1892, confirmed
by the Court February 3^d 1892, and
recorded in said Clerk's office
in deed book 27 page 403

1
all of which will more
fully appear by the original
report of said County Surveyor
herewith filed marked "O",
and the order of the County
Court confirming the same
herewith filed marked "P".
Pursuant to said survey J. R.
Gibson Clerk of the Lee County
Court, on the 9th day of Feb
ruary 1891, made executed and
acknowledged, conveying said
tract of land to your respon
dent. Said deed is herewith
filed marked exhibit "L".

Your respondent deems
that the whole proceedings
in the sale and conveyance
of said land were irregular
and erroneous. There may
be some irregularities or omis
sions in the complainant's
record, but if so respondent
has no knowledge thereof and
he requires full proof of the
same.

Respondent does not know
whether said sale was recorded
in the delinquent land

boast the plaintiffs rights
were not prejudiced thereby
because he and his agent
had full notice of the
fact that said land had
been sold as delinquent
land for the non payment
of the taxes thereon for the
year 1887.

It is true that respondent
did not notify the complain-
ant or J.E. Commoney his tenant
in writing to redeem said
land, nor was the same
necessary, but he did noti-
fy and request the said
Commoney the tenant,
and agent of the said
plaintiff to redeem said
land and they failed and
refused to do so.

Respondent denies that
he kept his purchase a
secret, but on the contrary
the same was known to the
agent and tenant of said
complainant, who was several
times requested to redeem the
same before the two years

run out from the date of
said sale.

Respondent denies that
said complainant has ever
tendered to him the taxes for
the year 1887 and cost he
has incurred in procuring
said deed aforesaid.

Respondent does not know
whether complainant has paid
any money into or not, but
he denies that he has paid any
money into Court as the law
directs. Respondent denies
that he has taken any undue
advantage or any advantage
at all of the complainant in
procuring said deed, but on
the contrary respondent says that
all of his actions have been
open, bona fide, and so
far as he has any means of
knowing truly in conformity
with the law.

Respondent does not know
the age of the complainant
or whether or not he was an
infant at the time of said
said sale of said land and the

making of said deed, nor
does he know that the said
plaintiff is the only heir of
the said George Mosely, and
he calls for proof of both.
Respondent is advised
that although there may
be some irregularities or
omissions in the proceedings
in said tax sale, yet unless
they were such as prejudiced
the rights of Complainant the
relief sought by him cannot
be granted.

And now having answered
he prays to be dismissed
with his costs and protected in
his rights.

C. M. Newman
B. H. Sewell
atty for Respondent

George Morcump
at & Answer
W.B. Morley.

Filed in open court
by leave thereof
Nov 11th 1893
J. R. Gibson D.S.

M.B. Morley Plff. } In Chancery
vs }
George Mearns Jr Dft.

The dependant by
his attorneys comes and
says that the plaintiffs
bill is not sufficient
in law, ~~and~~ prays
judgement ~~re~~.

Duncan T Sewell
atty for Dft,

Wm. Morley
and Benjamin
George Morley

1. W. A. Morley . . . \$50
2. \$50 . . . \$50

George Marquy, Jr.

This Cause came on this day to be heard upon the papers formerly read in the Cause, and was argued by Counsel, Upon Consideration of which the Court doth adjudge, order, and decree that the deed made by John R. Gibson, Clerk of the County Court of Lee County, Va to George Marcum on the 9th day of February, 1892, and recorded in Deed Book 27, page 404, of said County, be and the same is hereby vacated, annulled and declared void and of no effect; And that W. B. Monely pay to the said George Marcum the sum of \$2,720 with 10 per Cent interest from the 5th day of July, 1889, being the Consideration of said deed ^{and the further sum of \$6.15 for costs of entry and deed} ~~and~~ ^{and} ~~the~~ ^{the} Court adjudge, order and decrees that the W. B. Monely recover from George Marcum the defendant, the costs of this suit, and the Case is stricken from the docket.

W. B. Morely

25 *Yobim final*

George Marcus

E. C. O. P. Page 591
mch 14 1894

Enting
H. K. M.

Mar 14 1894

W. B. Morely.

vs

Plff

Deft

In Chancery.

George Marcum

This cause came on to be heard upon the exceptions of the defendant to the deposition of the Plff filed in the cause, and was argued by Counsel. On consideration thereof said exception is sustained and said deposition is suppressed, and on motion of the plaintiff leave is granted to retake said deposition, and the cause is continued.

60
36
36
40

1.7 2

W. B. Morely

os { Order

George Marcum

Entered Ch. O.B. p 542

Nov. 17th 1893.

Enter this order.

H. A. K. M.

Nov 17th 1893.

W.B. Morley Pl ff

No.

33rd Ind. ay.

George Maran

Def

This cause came on this day to be heard
upon the bill of complaint and exhibits filed therewith
and upon demurrer and answer by the
defendant filed, on consideration of which
demurrer is overruled and the answer making
up the issue the cause is continued —

W.B. Marsh

No 33 arder —

George Maran Jr

Entered in Lib. O.B.
fr 461, March 11/93
J. A.G. Hyatt,
clerk.

Enter this
~~14.5 km~~
March 11th 1893.

Virginia.

At a County Court continued
and held for Lee County at
the Court house thereof on Wed-
nesday Feby 3^d 1892.

George Markam Jr. this day returned
to the Court a plat and certificate
of a survey of a tract of fifty seven
acres of land made by L. M. Comm-
-ical County surveyor of this County
which tract of land having been
returned delinquent in the
name of Geo^d H. Morely and said
plat and certificate being examined
by the Court and found to be
made in conformity with the law
the same is ordered to be recorded
Attest J. R. Gibson Clerk

14
15 To George Marcan Jr.

16 Take notice that on the 15th day of July 1893, at the law
17 office of J. H. Cox in the town of Jonesville Lee Co. Va.
18 I will proceed to take the depositions of J. P. Graham
19 and others which when taken are intended to be read
20 as evidence on my behalf in a certain suit in Equity
21 now pending in the Circuit Court of Lee County Va.
22 in which W. B. Morely is plaintiff and George Marcan
23 Jr. is defendant, and if from any cause the same be
24 not commenced, or if commenced be not concluded out
25 that day, the taking thereof will be adjourned from
26 time to time, and from place to place, until completed.
27 This June the 26th 1893.

28 Res't. W. B. Morely
29 By Counsel,

W. B. O'neily -
NW 33 Notice Deposition
George Marcum.

Executed by Del-
ivering an office
Copy of the within
Notice to George.

Marcum this July

3^d / 1893.

J. H. Weston Deputy
for L. E. Flannery
S. L. O.

W. B. Morely pff.
W. J. Depositions.

1 George Marcum Jr

2
3 The depositions of J. P. Graham and others
4 taken before me D. C. Sewell a Notary Public for the
5 County of Lee and State of Virginia, pursuant to a
6 notice hereto annexed at the office of James W. Orr
7 in the town of Jonesville on the 15th day of July
8 1893, between the hours of 9 A. M. and 4 P. M. to be read
9 as evidence on behalf of W. B. Morely in a certain
10 suit in Equity depending in the Circuit Court of Lee
11 County, wherein W. B. Morely is plaintiff and the said
12 George Marcum Jr is defendant.

13 Present M. G. Ely atty for Plaintiff and
14 B. H. Sewell atty for Defendant.

15 1st Witness

16 J. E. Carmory, a witness of lawful age
17 being duly sworn deposes and says:
18 State your age and occupation.

ans 19 I am 36 years old - am a farmer.

20 Ques 20 Are you acquainted with the lands owned by W. B. Morely dec.
21 situated on Martins Creek in this county, owned by him at his
22 death?

23 Objected to, because

24 1st - Cannot prove ownership of land
25 by parol testimony, and

26 2nd - Because this question and
27 any answer thereto is irrelevant
28 and immaterial to the matter in con-
29 troversy in this suit; 3rd because
30 it is leading.

B. H. Sewell atty for Dk.

ans 31 I am.

Ques 31 Did you pay the taxes on the said land for M. B. Morely
for the years 1882-1883-1884-1885-1886?

This question is objected to, because

1st It is leading, and

2^d It is irrelevant and immaterial. B.H. Sewell atty for def.

Ans 36 I did & have receipts to show it
which I file herewith mark
"R".

Ques 49 Did you as M. B. Morely's tenant have any notice of the land being
returned delinquent for the taxes of 1887?

This question is objected to
because, 1st It is leading, and 2^d

because no tenancy is proved, and

3^d because it is irrelevant and immaterial.

B.H. Sewell atty
for def.

Ans. 47 I had no notice & did not know
that it was returned delinquent.

Ques 50 Did you as M. B. Morely's tenant ever call on the Treasurer
of this county for the tax ticket of 1887 for the purpose of paying
off the same?

This question is objected to
because, 1st It is leading, and

2^d It is irrelevant and immaterial
to the matter in controversy in this
suit.

B.H. Sewell atty
for def.

Ans 528 I did call upon him for the purpose
of paying it off.

Ques 6 Did you have any notice of the sale of the land in 1887?

This question is objected to, because
1st It is leading, and 2^d because it is
irrelevant and immaterial. B.H. Sewell atty for def.

Ans. 6 I had no notice of said sale.

Ques 7 Were you ever notified in writing to redeem said land, or asked to give possession of the same by George Marcum Jr.?

This question is objected to, because, it is leading, and 2^d. Because of ~~this same~~ objection as above, B. H. Sewell atty for Dfr.

Ans. 7 I was never notified in writing ^{to redeem the land} or asked to give up the possession.

Ques 8 Who is in possession of said land now?

Objected to because irrelevant and immaterial.

B. H. Sewell, atty for Dfr.

Ans 8 I am.

Ques 9 Are you W. B. Morely's tenant ^{in possession of said land} and how long have you been the same?

Objected to for same reason as above.

B. H. Sewell atty for Dfr.

Ans. 9 I am his tenant and have been in possession since 1885.

Ques 10 Did you ever go to George Marcum Jr after you learned of his pretended purchase and offer to pay him ~~before~~ the amount of the Tax ticket for the year 1887, before the expiration of the two years' ^{pretended} from date of sale?

Objected to because this question is leading, and because it is irrelevant and immaterial, it does not matter what witness does if anything.

Ans. 10 I went there in less than a month after I learned he had the ticket and offered to pay him.

Ques. 11 What did he say? —

2 Objected to for same reasons above,
3 B. H. Sewell atty for
4 D. H.

Ans. 11

5 When I offered him the money, he said
6 he did not want it — that he
7 would make his mother-in-law
8 a present of the \$2nd. He said,
9 Doc, you acted a fool in not
10 letting the land sell.

Ques. 12

11 Did you have any notice of the land being surveyed
12 by the county surveyor?

13 This question is objected to for same
14 reasons as above stated to question 10,
15 And besides notice to witness waived
16 not be necessary, ~~for same reason~~.
B. H. Sewell atty for
D. H.

Ans. 12

I did not.

Ques. 13

17 Did George Marcan Jr. at any time before the pretended ^{sale} come
18 to you and tell you that the land was advertised to be sold?

19 Objected to because leading
20 irrelevant and immaterial, B. H. Sewell atty
21 for D. H.

Ans. 13

No, he did not.

Ques. 14

22 Did Marcan ever ask you to redeem the said land?

23 Objected to because leading, and irrelevant
24 and immaterial. Witness did not know one
25 asked to make any redemption, in any
26 case,
27

Ans. 14

No, he never asked me.

Ques. 15

28 Did you ever make a tender of said taxes to the County Court
29 Clerk of La. County? And was it refused or accepted?

30 This question is objected to because leading irrelevant
31 and immaterial, Tender to the Clerk if a legal one
32 was not necessary, and it does not matter whether it was
accepted or refused.
B. H. Sewell atty for
D. H.

(5)

(J. E. Carmony Depo. cont.)

Ans. 15 I did and it was refused.

Ques. 16 Have you paid any money into this (the Circuit Court of La. county) and what for?

Objected to because leading, and because the law does not require or provide for such a proceeding.

Ans. 16 yes; I have paid \$8⁴⁰ ^{B. H. Sewell} ^{only for} to cover the tax ticket of 1887, & the cost of the survey for W. B. Morely.

X-examined.

Ques. 17 Mr Carmony state whether or not you are related to the plaintiff in this suit, and if so in what way?

Objected to because irrelevant and foreign to the issue.

ans. 17 I am, I am an uncle of his by marriage.

Ques. 18 When did you see W. B. Morely, and where was it at?

Ans. 18 I never saw him in my life.

Ques. 19 Do you know how W. B. Morely came to institute this suit, and if so how was it brought about?

Objected to because irrelevant and immaterial.

Ans. 19 I wrote to him & informed him how they were trying to him about the land, then he gave me authority

1 to attend to it for him here in
2 court and he wrote to me to
3 have suit brought. I haven't
4 the letter with me.

Ques 4

6 How long were you in correspondence
7 with Mr Morely before you had
8 the suit brought,

Ans. 4 I don't know exactly. I expect it
10 was 3 months.

11 Ques 5 Who has the cost to pay in
13 this suit, if Morely loses the suit?

Ans 5 I suppose Morely will.

15 Ques 6. Did you or not agree with Mr
17 Morely to pay the cost of this suit
18 if it went against Morely.

Ans. 6 No, I had no agreement with him.

20 Ques 7 Are you and George Moreman
22 at a good understanding?

Ans. 7 W. sir.

24 Ques 8 State whether or not you ever sent
26 William Suavey to Jamaica to
27 buy in for you some land sold
28 for delinquent taxes, which was
29 claimed by George Morely?

Ans 8 No, I never did send him. I sent
31 by him to bring me the Tax receipt.
32 This was in the year 1889.

Ques 9. What did William Snavely see
you when he returned,
Objection to because hearsay -
must be by affidavit.

Ans. 9 He said when he went in to get
the receipt, ~~John~~ Richmond came
in & told him he would bring
the Tax ticket and that I
could see him about the ticket.

Ques 10. Where were you living in the year
1887, and on whose land?

Ans. 10 At Rose Hill, on Mr. Bales'
land.

Ques 11. How long have you lived where
you now reside?

Ans. 11 Seventeen years, I have lived
on Mr. Bales' land.

Ques 12. Did you or not see the advertisement
of the treasurer for the sale of delinquent
lands for the year 1887, posted at Mr.
McKee's Store at Rose Hill or at any
other place.

Ans. 12. I did not. I can't read
and would not have known
it if I had have seen it.

Ques 13. Did not George Morcum bring the
advertisement for the year 1887 to you
himself & explain it to you.

Ans 13 He did not.

Ques 14, you state that you notified Mr Morley as above stated, and that you are attending to this suit; now please state why it is that you are taking such an active part in the matter, are you interested, or to be interested in any way?

Objection because witness has not stated that he was attending to this suit. Ed because the question immaterial and irrelevant M. F. Ely atty; for Plff

Ans. 14 I am interested in it and am to be interested. Before the suit Morley had agreed to deed it to my wife for taking care of his Grand-mother.

Ques 15, Please state whether or not you have been attending to this suit, and have been active in getting up evidence, and managing it yourself, and employing attorney.

Ans 15, I have.

And further this witness said not.

J. E. ^{his} Carmory
mark

No other witness appearing, the further taking of these deposition is continued until Monday 17th July 1893, at the same place and between the same hours—
D. C. Sewell N. P.

Office of Jas H Orr Monday
July 17, 1893, ^{Met pursuant to adjournment} Present Attorney
for Plaintiff & Defendant. No
witness ~~being~~ present the
further taking of these
depositions is closed.

D.C. Sewell N.P.

Virginia, Lee County, to-wit:
I, D.C. Sewell a notary public in
the county & state aforesaid, do hereby
certify that the foregoing depositions
was ^{fully} taken, sworn to & subscribed
before me at the time & place
mentioned in the caption. Given
under my hand, this 17th day of
July 1893.

D.C. Sewell
Not. Pub. for Lee Co., Va.

Not. fee \$2.50

W. B. Munsey

vs 3 depts for
3 Plaintiff -
George Marcum Jr.

Received of D. C. Sewell N.O.
before whom taken and filed
this July 18th 1893

A. B. Munsey, Clerk

Not fee 2⁵⁰

1 To Mr W. B. Morely;

2 You are hereby notified
3 that on the 2^d day of November
4 1893 at the law office of B. H.
5 Sewell, in the town of Jonesville Lee
6 County, Virginia, I shall proceed
7 to take the depositions of J. S. B. Rich-
8 mond and others, to be read as evi-
9 dence in my behalf, in a certain
10 suit in equity, depending in the
11 Circuit Court for Lee County Vir-
12 ginia, wherein I am defendant,
13 and you are plaintiff, and if
14 from any cause the taking of the
15 said deposition be not commenced,
16 or if commenced, be not concluded
17 on that day, the taking thereof will
18 be adjourned from day to day, and
19 from time to time, and from place
20 to place, until the same shall
21 be completed. This October 24th 1893.

22 Respectfully,
23 George Morcum,
24 By Counsel,
25
26
27
28
29
30
31
32

George Morcum

Adv. Notice

W. B. Morely,

Executed by delivering
a true office copy
of the within
Sum to Ch. G.
Ely Oct 30th 1893

Morely is a
non-resident

L. M. Wade
Deputy for
Ch. G. Filanary
S. L. G.

The depositions of J.S.B. Richmond and others, taken before me, D.C. Sewell a notary public for the County of Lee and state of Virginia, pursuant to notice hereto annexed at the law of R.H. Sewell, in the town of Jonesville Lee County Virginia, on the 2^d day of November 1893, to be read as evidence in behalf of George Moscone in a certain suit in equity depending in the Circuit Court for Lee County Virginia, wherein W.B. Moreley is plaintiff and George Moscone is defendant.

Present, C.Y. Duncan, Attorney for def.

" M.S. Ely attorney for plff.

No witness appearing on this the 2^d day of November 1893, the taking of these depositions is by agreement of said Council, for said parties, adjourned until the 8th day of November 1893, at same place

D.C. Sewell N.P.

Met pursuant to the above order of adjournment on the 8th day of November 1893, at same place

Present Duncan & himself for def.

" M.S. Ely attorney for plff.

J.S.B. Richmond, a witness of lawful age being duly sworn deposes as follows,

Question 1/- Please state your age & residence

Ans 1 I am 27 years old & live at
Ewing, Dec 65 V^a.

Question 2, Are you acquainted with the
lands in controversy in this suit,

Ans 2 I am.

Question 3 State anything you may know
about the sale of said tract of land by
John P. Graham Treasurer of Dec 65 V^a

Objected to because the records are the best evidence

W. G. Ely atty for def.

Ans 3.

It was advertised at my place
of business for sale by John P. Graham
Treasurer; I came here at the time
advertised & bought it for \$300.
Mar 66.

Question 4 If you know how long it had
been advertised, and at how many places
please state it.

Ans 4. I saw it advertised in two
places. Don't know how long
it was so advertised. One of
said places was on H. C. & Richmond
Stone & the other on J. B. McLean's
Stone. The land is about one
half miles from McLean's Stone
& about 2 1/2 from Richmond.

Question 5 Did you take a receipt from
J. P. Graham Treasurer for the money
paid by you to him for said land, if so
file said receipt herewith as part of
your deposition.

Ans. 5. Yes, I took a receipt from him & filed the same herewith as a part of my deposition marked Receipt.

Question 6. How near did Doak Cornsby live ^{from} to said land, state whether or not said Cornsby had notice of the delinquency of said land, its advertisement for sale, and the sale thereof.

He lives about $1\frac{1}{4}$ miles from said land. I don't know whether he had notice of the delinquency or not. He told me he sent a man here to redeem it. He told me that since George Marcum got a deed for it.

X —

Ques. State what you paid for said tract of land when you bought same for G. W. Marcum?

Ans. I think it was \$2 ²²/₁₀₀. The receipt will show.

Ques. What is a fair cash value of said tract of land per acre?

Ans. About \$4 ⁰⁰/₁₀₀ per acre

Ques. Were there any other bidders at the sale when you purchased the said tract for G. W. Marcum?

Ans. None, one else bid that I know of, and further this witness saith, not.

J. W. B. Richman
George Marcum another witness
after being sworn deposes as follows:
Question. Are you the defendant in

1 in this suit.

Ans. I am.

Question 2. What relation are you to
4 the defendant in the suit.

Ans. 2 - His father, George Morley
6 was a brother to my wife.

Question 3. State how you came to pur-
8 chase said land if you did purchase it.

Ans. 3. I was informed that it was
10 advertised for sale for de-
11 linquent taxes. I told J. S.
12 B. Richmond to come up here for
13 it if it was sold to buy
14 it for me.

Question 4. Was any person living on
16 said land at the time it was sold
17 if so whom.

Ans. 4. I believe Hugh Pally lived
19 on it at that time.

Question 5. Was J. E. Carmory living on
21 said land, if not how far did he live from it.

Ans. J. E. Carmory did not live on
23 said land. He lived about
24 $1\frac{1}{4}$ miles from it.

Question. At any time after you purchased
26 said land did you notify Carmory
27 that you had purchased said land
28 and did he offer to redeem it.

Ans. Some time after I purchased
30 it. I do not remember that
31 I did. but some time before
32 the land was sold I told

1 harmony that it was adver-
 2 tised for sale & that if he
 3 wanted it to go & redeem it.
 Question. 6. Did Morley or any one
 4 for him ever offer to repay you the
 5 money and its interest which you had
 6 paid for said land, if so who and
 7 when.

Ans. After I purchased said land
 8 & after it was surveyed
 9 harmony come to me & offered
 10 me some money. He did
 11 not state the amount & I do
 12 not know the amount. I told
 13 him I had been at too
 14 much expense to take
 15 a trifle for it.

Question. 7 Had you then had said
 16 land surveyed if so by whom and
 17 what was the surveyors fee.

Ans. I had had it surveyed
 18 L. M. Carmickle & his fee for
 19 same was \$5⁰⁰.

Question 8 Did you keep the
 20 fact that you had purchased
 21 said land a secret.

Ans. I did not.

Question 9 Was said land surveyed
 22 secretly or openly.

Ans. Openly.

Question 10. Is it not the general repu-
 23 tation in the family that the Plain

1 in this case was born before
2 his reputed father. George Monley
3 was married?

Ans. ~~Will~~ All the family say that
4 the plaintiff was born before
5 his father was married.
6

Ques Who did you ever hear say that W. B. Monley
7 was born before his father and mother was
8 married?
9

Ans. My wife's mother told my wife
10 & she told me.
11

Ques How do you know that your wife's mother told
12 your wife?
13

Ans. My wife told me so.
14

Ques Do you know of your own knowledge that W. B. Monley
15 was born before his father & mother married?
16

Ans. No, sir.
17

Ques Who is said to be W. B. Monley's father?
18

Ans. George Monley -
19

20 The foregoing question
21 and answer are accepted to
22 Sumner Thayer

Ques What did this tract of land cost you?
23

Ans. The receipt shows what I paid
24 the treasurer & I also paid \$5⁰⁰
25 for surveying, & ~~for~~ H. C. T. Richmond
26 \$20⁰⁰ for his services & one
27 dollar & seventy five cents for the
28 deed.
29

Ques Who did you buy this land from?
30

Ans. John P. Graham.
31

Ques Who had control and possession of this land when you
32 purchased it?
33

Ans. J.E. Carmony had control but
was not in the possession
of it

Ques. Have you ever been delivered possession of this land
or had it in control?

Ans. I have never lived on it.
There was a family on it
when I got my deed. I told
them to get off. They got off
but I did not put any body
on it. I reckon I have control
of it.

Ques. Have you paid any taxes on this land since you
purchased it?

Ans. No Sir,

Ques. Who has paid the taxes?

Ans. I can't tell you.

Ques. Are you not afraid that the land will sell again
for delinquent taxes?

Ans. No I am not afraid, I don't
think.

Ques. Did you ever give W.B. Marely or J.E. Carmony his
agent notice in writing to redeem said land after you
purchased it?

Ans. No Sir,

Ques. Did you give W.B. Marely or J.E. Carmony his agent
notice of your survey?

Ans. No Sir

Ques. What is the said tract of land reasonable worth
per acre?

Ans. About \$4⁰⁰ per acre

Ques. Did not you tell J. E. Garrison that - you had
not bought since land, ^{but} had simply redeemed
it - for your wife's Mother "old lady Mary"?
Ans. No Sir, I don't think I
said it.

Ques. Are you certain that - you did not say it -
Ans. I don't recollect of saying it.

Ques. Do you recollect of not saying it -

Ans. I told you before.

Ques. Have it you contracted this land for sale in the
event you gain this suit; if so to whom?

Ans. This question is objected, because
irrelevant, immaterial, and

Ans. ^{Disputed & Seized}
No. When I get it in my ^{front} fingers
I will sell it.

Ques. You have not gotten the land in your fingers
then yet, have you?

Ans. Not until it is decided -

And further this witness saith
not.
George ^{his} Marcum
Mark

Virginia, Lee County, to wit:

I, D. C. Sewell a notary Public for
the county of Lee in the said State,
do hereby certify that the foregoing depositions
of J. S. B. Richmond & George Marcum
were duly taken, sworn to and subscribed
before me, at the time & place, and
for the purpose in the caption hereto
mentioned. Given under my hand, this
8th day of November, in the year 1893 -

D. C. Sewell

R P

George Marcum

ad³ Deposition

W. B. Morley

Not for - 1⁷⁵

To George Marcan Jr.

1 Take notice that on the 27th day of July 1893 at the dwelling
2 house of W. B. Morely ^{at Reemadville} ~~Hollywood~~ in Lunica County Miss.
3 I will proceed to take the deposition of W. B. Morely which
4 when taken is intended to be read as evidence on my
5 behalf in a certain suit in equity now pending in the
6 circuit court of Lu County state of Virginia, in which
7 W. B. Morely is plaintiff and George Marcan Jr. is defendant
8 and if from any cause the same be not commenced, or if
9 commenced be not concluded on that day, the taking
10 thereof will be adjourned from time to time and from
11 place to place until completed. This June 26th. 1893.

12 Rest. W. B. Morely

13 By Counsel,

No. 1.

W. B. Morely.

Ms. 33 Notice-Deposition

George Marcum Jr.

Executed, ^{by} Delivering
a Copy of the within
Notice of deposition
to George Marcum
this July 3^d 1873.

J. H. Weston, S. S.,
for C. E. Flanary
S. E. C.

W. B. Morely Peff.

VS ~~33~~ Depositions.

George Marcum Jr. Def-

The deposition of W. B. Morely, taken before me
~~J. O. Robertson~~ ^{U. Taylor} a justice of the Peace for the County
of Tunica State of Mississippi, pursuant to notice
hereto annexed at ~~Hollywood~~ ^{Robinsonville}, on the 27th day of
July/893 between the hours of 9 A. M. and 4. P. M.
to be read as evidence on behalf of W. B. Morely in
a certain suit in equity, depending in the Circuit
Court of Lee County Virginia, wherein W. B. Morely
is plaintiff and the said George Marcum Jr is defendant.
Present;

W. B. Morely being duly sworn deposes and
saith as follows:-

Ques 1st. What is your age? and occupation?

ans. I am 24 years old. Occupation Station agent for
The Louisville, New Orleans & Texas Railway Co. at
~~Hollywood~~ ^{Robinsonville} Miss.

Ques 2nd. What was your age July 1st. 1889?

ans. I was 20 years old.

Ques 3rd. What was your age 1887?

ans. I was 18 years old.

Ques 4th. When were you born?

ans. My information is that I was born on the 9th day
of April. 1869.

Ques 5th. Are you plaintiff in this suit?
ans. I am.

Ques 6th. What was your father's name? - is he alive?
ans. G. W. Morley, he is dead.

Ques 7th. Did your Father at his death own a 57 acre tract of land situated on Martins Creek in Lee County, Virginia?
ans. He did.

Ques 8th. Did that tract of land descend to you? Are you the only heir at law of your father G. W. Morley dec'd?
ans. The tract of land descended to me, I am the only heir at law.

Ques 9th. After your Father's death, whom did you place in possession of said tract of land?
ans. I placed J. E. Harmony in possession of said land.

Ques. 10th. Did you know that the said land was returned delinquent for taxes for the year 1887?
ans. I knew nothing of it, whatever you had any notice of it.

Ques. 11th. Did you have any notice that the land was advertised to be sold for the said taxes in July 1889?
ans. I did not.

Ques. 12. After the pretended sale of said land, were you ever notified or asked by George Marcan Jr. to redeem the said land?

ans. I have never been asked by George Marcan Jr. nor any one else to redeem said land, in fact I know nothing of the proceedings in relation until sometime in the year 1892.

And further this deponent saith not.

W B Morley
* Sign name here.

State of Mississippi, 22

County of Tunica 23 To wit:-

I ~~J. C. Roberts~~ J. C. Taylor
a Justice of the Peace for the
county aforesaid, in the said State, do certify
that the foregoing deposition was duly taken,
sworn to and subscribed before me, at the time
and place mentioned therein. Given under my
hand this the 27th day of July 1893.

J. C. Taylor J. P.

The within depositions are excepted
to.

1st Because there is no proper
notice to take the depositions;
2^d Because the questions &
answers to same are in
the same handwriting, and
are in the handwriting of
the Counsel for plaintiff
and prepared before the
taking of said depositions
Nov. 14th 1893

Duncan & Swire,
Atty's for Def.

13
A. B. Munsey Atty.

A. B. Munsey
33 Deposition.

George Marbury, Def.

Received through the
mail and filed Aug
the 21st 1893

A. B. Munsey
Clerk

15
16 To George Marcus Jr.

17 Take notice that on the 3rd. day of Feb. 1894 at the
18 dwelling house of W. B. Morely at Robinsonville Miss-
19 I will proceed to take the deposition of W. B. Morely which
20 when taken is intended to be read as evidence on my
21 behalf in a certain suit in equity now pending in the Circuit
22 Court of Lee County, State of Virginia in which W. B.
23 Morely is plaintiff and George Marcus Jr. is defendant
24 and if from any cause the same be not commenced
25 or if commenced be not concluded on that day
26 the taking thereof will be adjourned from time to
27 time and from place to place until completed. This
28 Jan. 3rd. 1894

W. B. Morely.

By Counsel—

W. B. Morely

VB. } Police to take
 } Depositions.

George Marcen Jr.

Executed by delivering
a true copy of the within
notice to George Marcen Jr.,
This the 5th day of Jan. 1894.

G. F. Bull

C. Sec.

W. B. Morely
vs

George Morely Jr - The deposition of W. B. Morely taken
before me ^{H. Q. Patterson} ~~H. Q. Patterson~~ a Justice of the Peace for the County of
Lunenburg State of Mississippi, pursuant to notice hereto annexed at
Robinsonville on the 3rd day of Feb. 1894, between the hours
of 9 a. m. and 4 p. m. to be read as evidence on behalf of W. B. Morely
in a certain suit in equity, depending in the Circuit Court of
Lee County, Virginia, wherein W. B. Morely is plaintiff and the
said George Morely Jr. is defendant.

Present: -

W. B. Morely a witness of lawful age, being duly sworn deposes
and saith as follows to wit: -

Ques. 1st What is your age & occupation?

ans. I am 25 years ^{born year 1869 April 9th} of age of this year. Telegraph
Operator

Ques. 2nd Are you plaintiff in this suit? is your Father alive or dead?

ans. I am Plaintiff. ~~My~~ My Father is
Dead

Ques. 3rd How many and what heirs did he leave at his death?

ans. Myself only

Ques. 4th State whether or not your father at his death was in possession
and owned the tract of land herein ~~controversy~~ ^{in controversy} at his death?

ans. My Father owned this tract of land
that is in Controversy

Ques. 5th State whether or not the said tract of land descended to
you as heir at law of your Father Dec.?

ans. It did

Ques. 6th Whom did you place in possession of said land after
you became entitled to it?

To my Aunt Addie Carmour

Due 7th State - all you know in regard to said land being returned delinquent for taxes for the year 1887. And about its being sold, And whether or not you was ever asked by George Macum or any one else to redeem said land

Ans. in full to above.

I never knew anything of land being returned delinquent for taxes - George Macum or nor any one else never asked me to redeem said land.

And further this deponent saith not.

* W. B. Morley

State of Miss.
County of Lytle, Texas

I, ~~J. H. Robertson~~ a Justice of the Peace for the County aforesaid in the said state, do certify that the foregoing deposition was duly taken, sworn to and subscribed before me at the time and place mentioned therein, given under my this the 3rd day of Feb. 1894

J. D. Robertson

J. P.

The within deposition is accepted to. Because there is no proper notice. March 9th, 1894. Deanean Murray, P. Atty for deft.

Received in good Condition on the 14th day of Feb. 1894 and filed on the 14th of Feb. 1894. A. B. Murrey, Ck.

George Macum Jr.

Deposition

W. B. Morley Deft.

Ref.

3207

To George Marcum Jr.

Take notice that on the 1st day of Feb. 1894 at the dwelling house of J. P. Atkins at Corinth Miss. I will proceed to take the deposition of Nancy Morely which when taken is intended to be read as evidence on my behalf in a certain suit - in equity now pending in the Circuit Court of Lee County State of Virginia in which W. B. Morely is plaintiff and George Marcum Jr. is defendant and if from any cause the same be not commenced, or if commenced be not concluded on that day the taking thereof will be adjourned from time to time and from place to place until completed. This I am
3rd. 1894,

W. B. Morely.

By Counsel -

W. B. Morely

V.S. } Notice to take
 } Deposition—

George Marcum Jr.

Executed by delivering
a true copy of the within
notice to George Marcum Jr.

This Jan^y the 5 1894

G. T. Ball

C. L. C.

W. B. Morley Plff.
vs.

George Marcum Jr. The deposition of Mrs. Nancy Morley taken
before me C. C. Steele a Justice of the Peace for the
county of Meigs ^{State of Tennessee} ~~State of Mississippi~~. pursuant to notice hereto
issued at Corinth on the 3rd day of Feb. 1894. between
the hours of 9 A. M. and 4 P. M. to be read as evidence on behalf
of W. B. Morley in a certain suit in equity depending in the Circuit
Court of Lee County, Virginia, wherein W. B. Morley is plaintiff and
the said George Marcum Jr. is defendant.

Present: -

Nancy Morley a witness of lawful age being duly sworn
deposes and saith as follows to wit: -

Ques 1st. What is your age and residence? Married? Widowed, or single
ans. Sixty two years ^{reside at} P. Atkins at Present ^{in McNairy Co Tenn} Widow

Ques 2nd Are you, or not acquainted with the parties to this suit and
the land in controversy? I am acquainted with
ans. W. B. Morley. I know nothing of the land
only what I heard my husband say

Ques 3rd What relation are you if any to W. B. Morley the Plff. in this
suit of Robinsonville Miss?
ans. I am his Mother

Ques 4th State when he ^{your son} was born if you know, what is his age?
who was his father? ^{your sons father} is he ^{your son} alive or dead? when did he die?
ans. He was born Apr 8th 1867. age 25 years
his Father was G. W. Morley, he is dead, he
died at Purdy McNairy Co Tenn

Ques 5th How many and what children did your husband leave
at his death, and what real estate or lands and where?
Only one W. B. Morley. He had several
tracts of land some Ark. Some in Tenn
and the tract in Virginia in Controversy,

(over)

The within depoi-
tion is excepted to,
because there is
no proper return.
Made 9th, 1894
Duncan
also for sale.

Relay

W.B. Morey P.P.

Deposition of Mrs.
Nancy Morey

George Morey Jr.

Received by mail in con-
dition and filed by the
9th 1894 A.B. Manning Clerk

and further this deponent soith not.

Nancy Morey
~~State of Miss.~~ State of Tennessee }
~~County of Union~~ McChaisy County } ch 1-
I C. C. Steele a Justice of the Peace for the
County aforesaid in the said State do certify that the
forgoing deposition was duly taken sworn to and
subscribed before me at the time and place mentioned
therein. Given under my hand this the 3rd day of Feb 1894
C. C. Steele J. P.

George Markam Jr.

63A.

To the Honorable Court of Lee County Virginia
George Markam Jr. being purchaser of a 57
acre tract of land within the County of Lee
and on the waters of Martins creek. Said
land being sold in the month of July
1889 ^{against Geo. W. Morley} for the nonpayment of taxes, and
the said George Markam Jr. having paid
the sum of \$2,220 it being the amount

of purchase money for said land, as shown by
Treasurers receipt herewith filed. And more than two
years having elapsed since the sale of said land and the
same not yet being redeemed. said purchaser at his
own expense and according to the Code of Va sec. 634.

has employed the undersigned L. M. Carnichael surveyor
of Lee County, to survey and lay off ^{the whole of} said lands accord-
ing to the following Plot and Report. hereby Certified

Beginning at a white-oak near a branch corner to
T. Campbell's land and with lines of same and line
of Calvin Campbell's land N $51\frac{1}{4}$ W $35\frac{1}{2}$ poles to a stake at
a spring N $36\frac{1}{4}$ W $52\frac{1}{2}$ poles to a stake in a branch S $60\frac{1}{4}$ W
124 poles to a large rock on the West side of a branch.
with Kane Balis line, S 51 E $86\frac{1}{2}$ poles to a stake in a branch
thence with Ocdels lines and with said branch N $28\frac{1}{4}$ E $15\frac{1}{4}$
poles to a stake at the mouth of another branch N 88 E 22
poles to a stake at the end of a fence and with same
N 67 E 28 poles to a rock S $17\frac{1}{2}$ E 9 poles and 11 feet to a rock
N 70 E 21 poles to a large buck N 86 E $35\frac{1}{2}$ poles to the
beginning Containing 63 acres. surveyed Nov. 20th 1891
All of which is most Respect submitted L. M. Carnichael S. L. C.

Seigo Markam Jr
Delingmont Land
Surveyors Report

Confirmed Feb 3rd 1892
O.B.P. 16th

Revised Deed Book
27. Page 402.

C. 2,71

J. Jan 4th 1892

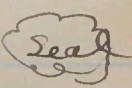
At the honorable Court of Lee County Va.
George Marcum Jr. being purchaser of a 37 acre
tract of land within the county of Lee and
on the waters of Martins Creek said land
being sold in the month of July 1889 for the
non-payment of taxes assessed against Geo.
W. Morely and the said George Marcum Jr.
having paid the sum of \$222 it being the amt-
of the purchase money for said land as shown
by Treasurers receipt herewith filed and more
than two years having elapsed since the sale
of said land and the same not yet being redeemed
said purchaser at his own expense and according
to the code of Va. sec. 654, has employed the undersigned
J. M. Carnical Surveyor of Lee County to survey
and lay off the whole of said lands according to the
following Plat and report hereby Certified Beginning
at a white oak near a branch corner to H. Campbells
land and with lines of same and line of Colman
Campbells line N. $51\frac{1}{4}$ W. $35\frac{1}{2}$ poles to a stake at a
spring N. $36\frac{1}{4}$ W. $52\frac{1}{2}$ poles to a stake in a branch
S. $60\frac{1}{4}$ W. 124 poles to a large rock on the west side
of a branch with Kane Bales line S. 51. E. $86\frac{1}{2}$ poles
to a stake in a branch thence with Edds lines and
with said branch N. $28\frac{1}{4}$ E. $15\frac{1}{4}$ poles to a stake at the
mouth of another branch N. 88 E. 22 poles to a
stake at the end of a fence and with same N. 67 E.
29 poles to a rock S. $17\frac{1}{2}$ E. 9 poles and 11 feet to a rock
no 70 E. 21 poles to a large buck N. 86 E. $35\frac{1}{2}$ poles to the

beginning containing 63 acres surveyed Nov. 20/89/
all of which is most respect, submitted
Virginia.

L. M. Carnicaul S. L. C.

at a county court continued and held for Lee County
at the court house thereof on Wednesday Feb. 3-1892
George Marcum Jr. This day returned to the court
a plat and certificate of a survey of a tract of
fifty seven acres of land made by L. M. Carnicaul
County Surveyor of this County which tract of
land having been returned delinquent in the
name of Geo. W. Morely and said plat and certificate
being examined by the court and found to be made
in conformity with the law the same is ordered
to be recorded, A. copy Test. J. R. Gibson Clerk.

Whereas on the - day of - 1887 the following described
real estate standing in the name of George W. Morely
was reported to the clerk of the County Court of
Lee County by the Treasurer of Lee County as delinquent
on account of state and county taxes for the year
1887 in the sum of \$222 and whereas on the 5th day
of July 1889 after due advertisement as required by
law the Treasurer of Lee County did offer for sale
at public auction at the front of the court house
of Lee County the following described real estate
for the purpose of paying the state and county
taxes due thereon at which sale George Marcum
became the purchaser having bid \$222 That being
the amt of taxes interest and costs due thereon
and whereas in pursuance of the order of the ^{County} Court of
Lee County entered on the 3rd day of Feb. 1892 the
report of the surveyor of Lee County specifying the
notes and bounds of the following described real estate

and the names of the owners of the owners of the
adjoining tracts or lots and giving such further
description of the land as will identify the same
was recorded in the clerk's office of Lee County and
whereas the whole of the purchase money having
been fully paid and the two years required by law
having now elapsed the said George Marcum
desires to have a deed for the same. Now therefore
this deed made this 9th day of Feb. 1892 between John
R. Gibson clerk of the county court of Lee County
party of the first part and George Marcum party
of the second part witnesseth, That in consideration
of the premises and in pursuance of the act of the
legislature of Va. approved - day of 18 - as amended
by act approved - day of 18 - the party of the first
part doth grant unto the party of the second part
with special warranty the following described real
estate: Beginning at a ~~stone~~ white oak near a branch
corner to H. Campbell's land and with lines of same
and lines of Colvin Campbell's land N. $56\frac{1}{4}$ W. $35\frac{1}{2}$
poles to a stake at a spring N. $36\frac{1}{4}$ W. $52\frac{1}{2}$ poles to a
stake in a branch S. $60\frac{1}{4}$ W. 124 poles to a large rock
on the west side of a branch with Kane Bales line
S. 51 E. $86\frac{1}{2}$ poles to a stake in a branch thence with Edl
line and with said branch N. $28\frac{1}{4}$ E. $15\frac{1}{4}$ poles to a stake at
the mouth of another branch N. 88 E. 22 poles to a stake at
the end of a fence and with same N. 67 E. 29 poles
to a rock S. $17\frac{1}{2}$ E. 9 poles and 11 feet to a rock N. 70
E. 21 poles to a large hick N. 36 E. $35\frac{1}{2}$ ^{poles} to the beginning
containing 63 acres. Witnesseth the following ^{signature} and seal
John R. Gibson 
Clerk of Lee County Court Lee Co.

State of Virginia } Circuit-
County of Lee }

I, John A. G. Hyatt Clerk of the Circuit-Court in and
for the County aforesaid in the State of Virginia do
hereby certify that John R. Gibson Clerk of the County
court of Lee County, has acknowledged the same
before me in my office aforesaid. Given under
my hand this 9th day of Feb, 1892.

J. A. G. Hyatt Clerk.

Virginia Lee County to wit:

In the office of the clerk of the said County
the 9th day of Feb, 1892. This deed was presented and
together with the certificate thereto annexed admitted
to record

Teste John R. Gibson Clerk.

A copy Teste, John R. Gibson Clerk.

J. R. Gibson

To 33 Seal

George Marcum Jr

"B."

Whereas, On the _____ day of _____, 1887 the following

described real estate standing in the name of George W. Morley

was reported to the Clerk of the County Court of Lee County by the Treasurer

of Lee County as delinquent on account of State and County taxes for the year

1887, in the sum of \$222; and whereas, on the 5th day of July, 1887,

after due advertisement as required by law, the Treasurer of Lee County did offer

for sale at public auction at the front of the courthouse of Lee County, the following

described real estate for the purpose of paying the State and County taxes due thereon, at which sale George

Marcum became the purchaser, having bid \$222, that being the amount of taxes,

interest and costs due thereon; and whereas, in pursuance of the order of the County Court of Lee

County, entered on the 3rd day of February, 1892 the report of the Surveyor of

Lee County, specifying the metes and bounds of the following described real estate,

and the names of the owners of the adjoining tracts or lots, and giving such further description of the land as will identify

the same, was recorded in the Clerk's office of Lee County; and whereas,

the whole of the purchase money having been fully paid; and the two years required by law having now elapsed, the said

George Marcum desires to have a deed for the same:

Now, THEREFORE, This deed made this 9th day of February, 1892 between

John R. Gibson Clerk of the County Court of Lee

County, party of the first part, and George Marcum, party of the second part,

witnesseth: That in consideration of the premises and in pursuance of the act of the Legislature of Virginia, approved

_____ day of _____, 18____, as amended by act approved _____

day of _____, 18____, the party of the first part doth grant unto the party of the second part,

with special warranty, the following described real estate: Beginning at a white oak

near a branch corner to F. Campbells land and with lines of

same and lines of Calvin Campbells land N 5 1/4 W 25 1/4

poles to a stake at a Spring N 36 1/4 W 52 1/4 poles to a stake

in a branch S 60 1/4 W 124 poles to a large rock on the west side of

a branch with same poles line S 51 E 86 1/2 poles to a stake at

E 15 1/4 poles to a stake at the mouth of another branch N 88

E 22 poles to a stake at the end of a fence and with same N 67 E 29

poles to a rock S 17 E 9 poles and 11 feet to a rock N 70 E 21 poles

to a large rock N 36 E 35 1/2 poles to the beginning containing 6.3 acres.

Witness the following signature and seal.

John R. Gibson [Seal.]

Clerk of The County of Lee County.

STATE OF VIRGINIA, County of Lee, to-wit:

I, John A. G. Hyatt Clerk of the Circuit Court in and for the County

aforesaid, in the State of Virginia, do hereby certify that John R. Gibson Clerk

of the County Court of Lee County, has acknowledged the same before me in my

Office
County aforesaid.

Given under my hand this 9th day of Feb., 1892.

J. A. G. Hyatt clerk

Virginia Lee County to wit:

In the office of the Clerk of the
said County the 9th Day of Feby 1892 this Deed
presented and together with the Certificate
thereto annexed admitted to record.

Teste John Gibson Clerk

John Gibson

To } Deed

To } Maraud

Recorded Deed

Book 21 P. 404

255-
125-
175-

1 Dock Bormann, has left
2 with me \$8.40. Eight
3 Dollars & 40 cents. as pay
4 ment of Surveyors fees and
5 the tax on certain lands.
6 over which there is now
7 a Chancery suit pending
8 in Lee County Circuit Court
9 in which George Marcum is
10 Defendant and M. B. Morely is Plff
11 this Nov. 7/892 J. A. Stuyatt C
12

Dock Company

From ³/₂ Rept

\$8.40

Left by at 2

32

31

30

29

28

27

26

25

24

23

22

21

Office of the Treasurer of the Countyof Lucy

LIST OF REAL ESTATE within the County of San sold in the month of July, eighteen hundred and eighty-six, for the non-payment of taxes thereon for the years 1887

Received of George Marcum the above sum of two dollars & twenty two, it being the amount of purchase money for the land mentioned in the above list.

above list.

John P. Graham Treas

George Masseng
Lawson
Receipt

"Receipt"

filed by J. S. B.
Richmond with
his deposition
Nov. 8th 1892

D. P. Sewell
N. P.



Mr.

George W. Mareley

1882 To Z. T. Cecil, Treasurer of Lee County, Dr.

	STATE TAX, 40 cents on the \$100.		County Levy, 30 cents on the \$100.		County School Tax 10 cents on \$100.		District School Tax 3 cents on \$100.		TOTAL AMOUNT OF TAXES.	
To <i>57</i> Acres of Land, Value, \$ <i>171</i>		<i>68</i>		<i>57</i>		<i>17</i>		<i>5</i>	<i>1</i>	<i>41</i>
Property, Income, etc., \$										
Capitation Tax,										
County School Tax,										
District School Tax,										
Total									<i>1</i>	<i>41</i>

Received Payment in full,

W. B. Cecil Treasurer.

Charged



Mr.

George W. Morley

1883 To

M. B. WYCAL, Treasurer of

LEE

County, Dr.

	STATE TAX, 40 cents on the \$100.	County Levy, 25 cents on the \$100.	County School Tax 10 cents on \$100.	District School Tax 10 cents on \$100.	TOTAL AMOUNT OF TAXES.
<i>[redacted]</i> Acres of Land, Value, \$ <i>171</i>	<i>69</i>	<i>43</i>	<i>17</i>	<i>17</i>	<i>1 46</i>
Property, Income, etc., \$					
Capitation Tax,					
County School Tax,					
District School Tax,					
Total					<i>1 46</i> <i>7</i>

Received Payment in full, *B. S. McLin D*Treasure: *1 58*

Received of Sarah Moorley
in full of G. W. Moorley Taxes
of 1884

C. S. Melvin D. J.

Mr.

1885.

Gen H Mosley

District No.

To M. B. WYGAL, Treasurer of Lee County,

Dr.

		State Tax, 30 cts. on the \$100.	County Levy, 30 cts. on the \$100.	State School Tax, 10 cts. on the \$100.	County School Tax, 10 cts. on the \$100.	Dis't. School Tax, 10 cts. on the \$100.	Total Am't. of Taxes.
.....TRACTS.							
To <u>5-7</u> acres land value	<u>171</u>	<u>57</u>	<u>57</u>	<u>17</u>	<u>17</u>	<u>17</u>	<u>1 53</u>
Property, income, etc.							
Capitation Tax,							
State School Tax,							
County School Tax,							
District School Tax,							
Total,							<u>1 53</u>

RECEIVED PAYMENT.

C. S. McClinton

COUNTY TREASURER.

Chas. Crosby by
By cash 50

R

R

171
178
118
290

Mr. George W. Morley
1886.

District No. _____

To M. B. WYGAL, Treasurer of Lee County,

Dr.

— 1 TRACTS.

	STATE TAX, cents on the \$ 00	County Levy, 50 cents on the \$100.	County School Tax 10 cents on \$100.	District School Tax, cents on \$100.	State School Tax, 10 cts on the \$100.	TOTAL AMOUNT OF TAXES.
To — <u>57</u> acres land value	\$ <u>171</u>	<u>51</u>	<u>86</u>	<u>17</u>	<u>17</u>	<u>171</u>
Property, income, etc.,	<u>255</u>	<u>76</u>	<u>127</u>	<u>26</u>	<u>26</u>	<u>255</u>
Capitation Tax.		<u>100</u>	<u>50</u>			<u>150</u>
County School Tax						
District School Tax.						
State School Tax.						
Total	<u>927</u>	<u>263</u>	<u>43</u>		<u>43</u>	<u>576</u>

Chas B. B. W. Morley

cash \$ 3.47

Received Payment in full, to S. M. W. D.

Treasurer.

Ex By cash 75
No property found

Y
171

289 by Richmond

200

500

Sold 100

Relan 500

"R"

Tax receipts filed
by J. E. Carmony
with his deposition.
~~This~~ in answer
to question 3 - This
July 15th/893 -

D. S. Sewell

Not. Pub. taking
Depos -

D

The Commonwaalth of Virginia.

TO THE SHERIFF OF LEE COUNTY GREETING:

We Command You to Summon

George Marcus Jr.

To appear at the Clerk's Office of the Circuit Court of Lee County, at the Courthouse on the ^{third} ~~first~~ Monday in *October 1892* next, being rule day to answer a bill in Chancery exhibited in our said Court against

..... by *Wm. B. Moreley*

And have then and there this writ Witness, J. A. G. Hyatt, Clerk of said Court at the Courthouse. This ^{3rd} ~~...~~ day of *October* 18 *92*, in the 11 *7* year of the Commonwealth.

J. A. G. Hyatt Clerk.

A Copy Teste

W. B. Moreley
vs 3 Defendants
vs 3 Chancery
George Marcus
Lo 2nd Oct. Rules 1892

Presented by
delivering an
office copy of
within Summons
to George Marcus
This Oct. 13, 1892.
J. A. Vandewater
Dept for C. C.
Flanary S. L. C.